

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: CASE NO 18-10948-JCM

THERESA J. FULLERTON,
Debtor(s). Chapter 13

RONDA J. WINNECOUR, Chapter 13
Trustee,
Movant,

vs.
THERESA J. FULLERTON,
Respondent(s).

CONSENT ORDER OF COURT DISMISSING BANKRUPTCY CASE AND PROVIDING
FOR DISPOSITION OF BALANCE ON HAND

WHEREAS, the case is currently in month 81 of an 84-month term and the plan is \$32,276 in arrears;

WHEREAS, Debtor concedes that she will be unable to cure the arrears within the remain plan term, that dismissal is appropriate under 11 U.S.C. §1307(c), and that she will deal with her secured creditors post-dismissal;

AND NOW THEREFORE, to avoid the costs and expense of a motion to dismiss the Debtor(s) and Trustee agree as follows:

1. In accordance with the authority of 11 U.S.C. §349(b), notwithstanding the dismissal of the case, the Trustee shall retain possession of so much of the balance on hand as is necessary to pay in full the (a) priority claim of the IRS (CI #2) in the amount of \$698.52; and (b) the timely filed general unsecured creditors in the total amount of \$1,104.43 (CI #2 and 8) and shall pay said claims, and shall refund whatever amounts remain.

2. Subject to the terms and conditions of this Order, the case is dismissed without prejudice.

3. All rights and remedies related to the Debtor's pending MOTION FOR ACCOUNTING AND FOR TURNOVER OF PROPERTY (at Doc 129) are preserved to the parties to that matter and shall be addressed directly by the parties outside of Bankruptcy.

U. S. Bankruptcy Judge

Agreed and consented to:

/s/ Owen Katz
Owen Katz (PA I.D. #36473)
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/s/ Jeffrey G. Herman
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